

Appl. No. 09/944,066
Amdt. Dated December 3, 2003
Reply to Office Action of October 3, 2003

REMARKS

Priority Claim

Applicant requests that the Office acknowledge the claim of priority under 35 USC Section 119(e). This non-provisional application claims the benefit under Title 35, U.S.C. §119(e) of co-pending U.S. provisional application serial no. 60/229,242, filed, August 30, 2000; co-pending U.S. provisional application serial no. 60/229,708, filed, August 31, 2000; co-pending U.S. provisional application entitled WOVEN FABRICS FORMED FROM INTIMATE BLENDS OF GREATER THAN ONE TYPE OF FIBER, by Charles A. Howland, filed, August 20, 2001, serial number 60/313,835; and co-pending U.S. provisional application entitled FABRICS FORMED FROM INTIMATE BLENDS OF GREATER THAN ONE TYPE OF FIBER, by Charles A. Howland, filed, August 22, 2001, serial number 60/314,053 each incorporated herein by reference.

Elections/Restrictions

The Examiner has made a restriction requirement in accordance with 35 U.S.C. §121 between:

Species I: Claims 1, 6-24, 29-39, drawn to a system comprising a high tensile strength fabric layer and a microporous membrane, classified in class 442, subclass 85.

Species II: Claims 61-62, 67-78, 81, 87, 91-92, 96, 100 and 107-118, drawn to a system comprising a first layer of high cover factor and a second layer of low cover factor, classified in class 442, subclass 239.

Species III: Claims 121, 126-129, 132 and 135-145, drawn to a system comprising a felted high strength fabric layer and a second layer of fabric, classified in class 442, subclass 402.

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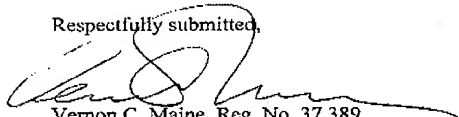
Species IV: Claims 158 and 162-171, drawn to a system comprising a first layer of high tensile strength fabric and a second layer of low tensile strength fabric, classified in class 442, subclass 243.

Species V: Claims 174-190 and 193-199, drawn to a system comprising a first layer having a weight per unit length value higher in the warp direction than the fill direction and a second layer, classified in class 442, subclass 208.

In response to the Examiner's restriction requirement, election is hereby made to prosecute the invention of species I, claims 1, 6-24, 29-39. Claims 40-62, 67-78, 81, 87, 91-92, 96, 100, 107-121, 126-129, 132, 135-158, 162-199, have been withdrawn.

Applicant believes the above amendments and remarks to be fully responsive to the Office Action, thereby placing this application in condition for allowance. No new matter is added. Applicant requests speedy reconsideration, and further requests that Examiner contact its attorney by telephone, facsimile, or email for quickest resolution, if there are any remaining issues.

Respectfully submitted,



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